

**SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
MAY 14, 2003**

The Environmental Laboratory Advisory Board (ELAB) met May 14, 2003, at 11:00 by teleconference. Chairperson Ms. Zonetta English of the Louisville/Jefferson County MSD led the meeting. A list of action items is given in Attachment A. A list of participants is given in Attachment B. The meeting agenda, prepared and distributed prior to the meeting by the chair, is given in Attachment C.

INTRODUCTION

Ms. Lara Autry, ELAB's new Designated Federal Officer (DFO), opened the meeting with a welcome and a review of the meeting agenda. She noted that, although two individuals had contacted her to request the teleconference number after reading the notice of upcoming ELAB meetings in the Federal Register, she did not know if any guests would join the teleconference. Ms. Autry then turned the meeting over to Ms. English.

REVIEW OF MINUTES

Following a roll call and introductions of the ELAB members present on the call, Ms. English led ELAB in a review of the minutes from ELAB's December 18, 2002, meeting. The minutes were approved pending correction of a minor typographical error. Ms. English then asked Ms. Autry to review the status of the National Environmental Laboratory Advisory Board (NELAC) and ELAB.

STATUS OF NELAC

Ms. Autry noted that the Ninth NELAC Annual Meeting (NELAC 9) will be held June 2-6, 2003, in San Diego, California. She pointed out that the meeting is important in regard to the future of NELAC. She reminded those present on the call that a reorganized NELAC structure was voted into effect in July 2002 to be implemented at the close of the 2003 annual meeting. As of June 6, 2003, NELAC will become a standards adoption entity composed of federal, state, and tribal regulatory members looking to standards development organizations to develop standards for adoption.

Ms. Autry also suggested that proposed language changes to Chapter 1 and Chapter 5 of the NELAC Standard would elicit spirited discussion at the upcoming NELAC meeting. These language changes have been proposed to reflect a move forward to integrate a performance approach. She noted that NELAC stakeholders are making a conscious effort to move away from the term "performance based measurement system (PBMS)" and that EPA is working to identify a more appropriate term.

Finally, Ms. Autry noted that there had been some concern as to whether a quorum would be present at the upcoming NELAC meeting because many states are under budgetary travel restrictions. Fortunately, meeting organizers are now assured of a quorum.

STATUS OF ELAB

Ms. Autry noted that she had received the necessary paperwork for the rechartering of ELAB. All pieces of the recharter application are due to the Federal Advisory Committee Office by July 10, 2003. The charter will be renewed by Congress in conjunction with the expiration of the current charter. Since the current charter expires on July 27, 2003, the Federal Advisory Committee Office plans to have the new charter on record and filed by July 25, 2003. Ms. Autry also noted that she is reviewing current membership files to get the date of every member's term expiration. She informed the members of ELAB that Mr. Jerry Parr had resigned from ELAB due to other commitments. She also noted that an attorney in EPA's Office of General Counsel is in the process of answering questions about naming Mr. Parr's replacement on ELAB. At issue is the need to maintain a reasonable balance of membership and viewpoints. If the Office of General Counsel deems ELAB's membership to be balanced, the vacancy left by Mr. Parr will not be filled until ELAB is rechartered in July 2003. Ms. Autry noted that Mr. Parr's organization has already nominated a replacement for him. That nomination is the only new membership application that she had received as of the teleconference date. A brief discussion of other ELAB vacancies ensued. Ms. Autry noted that the Office of General Counsel had suggested that the current membership balance is acceptable but future membership from an environmental advocacy group would complement the balance. Ms. Autry also noted that she would like to have a full slate of members by the July 25 rechartering date, although the slate can be filled in a timely manner after the rechartering. Finally, Ms. Autry informed ELAB that she would be attending mandatory DFO training on May 21 and May 22.

REVIEW OF ACTION ITEMS

Ms. English noted that ELAB had left the Eighth NELAC Interim Meeting (NELAC 8i) in November 2002 with great momentum but had been unable to make forward progress due to events outside its control. She led ELAB in a review of action items from ELAB's last (December 18, 2002) meeting to refresh memories and renew progress.

- **ELAB Budget and Charter:** Ms. English provided some background information on previous budget discussions. She noted that she and Dr. Michael Green had coordinated on a cost-benefit analysis to support any ELAB request for increased funding for additional support to carry out ELAB's mission. Ms. English distributed as an email attachment a spreadsheet created by Dr. Green. Dr. Green explained that the spreadsheet is intended as a framework with which to map out actual resource time. It details baseline assumptions used in creating an overall budget, a trip cost breakdown, and an ELAB time breakdown. After Dr. Green reviewed the budget spreadsheet, it was decided that the members of ELAB would review the draft spreadsheet, particularly in regard to assumptions, and forward their comments to Ms. English or Dr. Green. Dr. Green also asked Ms. Autry to update the spreadsheet in regard to DFO time requirements. It was noted that Dr. Mark Marcus had worked on some charter language to support the request for increased funding. He indicated that he would send this language to Ms. Autry. Ms. Autry noted that she would address the charter issue for the final time in ELAB's teleconference on May 28, 2003. It was agreed that ELAB would include the charter on their agenda for the next scheduled teleconference. Ms. Autry indicated that she

would distribute the current charter to the members of ELAB for their review and comment. Members of ELAB indicated that they would review the current charter and provide feedback at the next teleconference.

- **Training of Laboratory Assessors:** No work has been performed on this task since the December 2002 meeting. In reviewing the issue, Dr. Green noted that not all assessors have been trained as per the NELAC requirements. He would like to assemble a contact list to send fact-finding emails to state contacts to determine assessor status in an effort to get all NELAP assessors to meet the requirements of the NELAC Standard. It was decided that Dr. Green would use the recognized accrediting authority list on the NELAC website.
- **EPA Reference Methods:** This issue was one championed by Mr. Parr. After brief discussion of the issues with which Mr. Parr is conversant, Mr. Robert Wyeth volunteered to contact Mr. Parr to prepare a list of Mr. Parr's outstanding ELAB initiatives and to review that list at ELAB's next meeting for transition to other members. Further discussion of EPA reference methods was tabled until a future meeting.
- **Nonparticipation Workgroup:** This issue was also one championed by Mr. Parr. Ms. English recommended that ELAB coordinate with Ms. Silkie Labie in regard to the small organizations workgroup she is heading. Further discussion of the issue was tabled until a future meeting.
- **Language for Recommendation of EPA Endorsement of NELAC:** There was moderate discussion of whether this issue is still relevant given the restructuring of NELAC. Members of ELAB reviewed their minutes from NELAC 8i in Santa Fe to refresh their memory. Mr. Wyeth agreed to take the lead on this effort. He and Ms. English agreed to pull the September 2002 letter to EPA from ECOS from their files for use as a starting point in drafting ELAB's recommendation. Noting that Dr. Paul Gilman, EPA's Assistant Administrator for Research and Development, would speak at the upcoming NELAC meeting and that his presentation might give an indication of the Agency's level of support for NELAC, Ms. Autry suggested that ELAB draft their letter to EPA after the NELAC meeting.
- **Update on White Paper on Restructured NELAC:** Dr. Marcus indicated that he had completed the white paper, which is actually centered around the issue of using consensus organization standards, and had sent the white paper to Dr. Allen Verstuyft for review and comment. Dr. Verstuyft's comments at a previous ELAB meeting had precipitated the paper. Dr. Marcus noted that he had reviewed the mechanisms by which organizations craft standards when they know the standards will be used as the basis for regulations. He also noted that the paper had been a difficult one to write, especially in the area of conformance review. Dr. Marcus indicated that he would distribute the draft paper to the members of ELAB for their review, but he doubted that ELAB would have a final work product for presentation at NELAC 9 in San Diego.

- **Analyte/Analyte Group:** Mr. Wyeth noted that the issue predates the December 2002 meeting. He indicated that a workgroup had been formed. The workgroup includes representatives from the NELAC Proficiency Testing Committee, representatives from the commercial laboratory community, and Mr. Alfredo Sotomayor from the State of Wisconsin. Noting that comments from the workgroup were due by May 15, Mr. Wyeth indicated that he hoped to be able to make a recommendation at the meeting in San Diego as to whether the topic is viable for continued discussion.

NEW BUSINESS

- **Strategy for NELAC 9:** Ms. English informed the members present on the call that Ms. Autry had requested that she give a ten-minute overview of ELAB's current activities and future direction in the NELAC 9 opening plenary session. This led to discussion of ELAB's purpose and whether it will remain the same after the NELAC reorganization takes effect. In response, Ms. Autry noted that EPA will still be part of the group adopting standards and, consequently, ELAB's purpose will not change. There was some discussion of ELAB's freedom to make recommendations to EPA. Ms. Autry noted that federal advisory committees should raise issues to the agency that are of concern to the organizations represented by the committee membership. It was noted that almost all the members of ELAB would be in attendance at NELAC 9 in San Diego. Ms. Autry noted that she would make teleconference accommodation for ELAB members who could not attend the meeting in person. She informed the members present on the call that the ELAB open forum would be held on Tuesday, June 3, from 5 – 6 p.m., and that the ELAB meeting would be held on Friday, June 6, from 8:30 a.m. until 12:30 p.m. She also noted that a meeting of the small organizations workgroup headed by Ms. Labie would be facilitated as an open forum on Thursday morning, June 5. It was suggested that members of ELAB could attend this open forum to present their nonparticipation concerns.
- **Homeland Security** - Noting that homeland security is an issue of national concern, Dr. Green suggested that ELAB investigate how security is being addressed in the context of environmental laboratories. He cited inventory control and critical analyses for drinking water as example concerns. There was some discussion of a consensus-building workshop on chemical terrorism preparedness sponsored by the Association of Public Health Laboratories (APHL) in January 2003. There was also some discussion of American Chemical Council (ACC) information on chemical facility security. Dr. Green indicated that he would distribute the ACC information for ELAB review. It was agreed that ELAB would include homeland security as an agenda item for discussion at NELAC 9 in San Diego.
- **Meeting Calendar for 2003:** Ms. Autry asked ELAB to consider the preferred frequency and scheduling of future teleconferences. Ms. English indicated that she would send all members an email to ask for their input on scheduling.

CONCLUSION

Ms. English thanked the members of ELAB for their participation. There being no further business to discuss, the meeting was adjourned shortly before 1:00 p.m. by Ms. Autry. The next meeting of ELAB is scheduled as a teleconference on Tuesday, June 20, 2003, at 11a.m.

**ACTION ITEMS
ENVIRONMENTAL LABORATORY ADVISORY BOARD
MAY 14, 2003**

Item No.	Action	Date to be Completed or Status Report Given
1	ELAB will review Dr. Green's draft budget spreadsheet and email comments to Ms. English or Dr. Green.	05/20/03
2	Ms. Autry will distribute current ELAB charter to ELAB for review. ELAB will provide feedback.	05/20/03
3	Dr. Marcus will provide charter language to Ms. Autry.	05/20/03
4	Dr. Green will send fact-finding emails to state contacts to determine assessor training status.	07/31/03
5	Mr. Wyeth will contact Mr. Parr to compile a list of Mr. Parr's outstanding ELAB initiatives.	05/20/03
6	Mr. Wyeth will take the lead on effort to draft language for recommendation of EPA endorsement of NELAC, using the September 2002 letter to EPA from ECOS as a starting point.	05/20/03
7	Dr. Marcus will distribute draft white paper on issue of using consensus standards for ELAB review and comment.	05/20/03
8	Mr. Wyeth will compile comments from Analyte/Analyte Group workgroup.	05/20/03
9	Dr. Green will distribute American Chemical Council information on chemical facility security for ELAB review and comment.	05/20/03
10	ELAB will include homeland security on meeting agenda for NELAC 9 in San Diego.	06/02/03
11	Ms. English will email members of ELAB to solicit input for setting teleconference meeting schedule.	05/20/03

**PARTICIPANTS
ELAB MEETING
MAY 14, 2003**

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ELAB Meeting Agenda-May 14, 2003
11:00-1:00 PM EDT

1. Review Minutes from Dec. 18, 2002 ELAB Meeting-All (10 minutes)
2. Status of NELAC and ELAB-Lara Autry (10 Minutes)
3. Action Items from Dec. 18, 2002-ALL (60 minutes)
 - ELAB Budget Work-Dr. Green/Zonetta English
 - Training of Laboratory Assessors Status-Dr. Green/Zonetta
 - EPA Reference Methods-Jerry Parr
 - Language for Recommendation of EPA Endorsement of NELAC-ALL
 - Update on White Paper "New NELAC"-Dr. Mark Marcus
 - Update Analyte/Analyte Group-Bob Wyeth
4. New Business –ALL (20 Minutes)
 - Upcoming NELAC Conference Strategy
5. Agenda Items for next Meeting - (5 minutes)